United Nations S/AC.51/2009/2

Security Council

Distr.: General
13 July 2009

Original: English

Working Group on Children and Armed Conflict

Conclusions on children and armed conflict in the Central African Republic

1. At its 20th meeting, on 24 February 2009, the Working Group on Children and Armed Conflict examined a report of the Secretary-General on children and armed conflict in the Central African Republic (S/2009/66), which was introduced by the Special Representative of the Secretary-General for Children and Armed Conflict. The Permanent Representative of the Central African Republic to the United Nations also addressed the Working Group.

2. The main elements of the exchange of views among the members of the Working Group are summarized below.

3. The members of the Working Group welcomed the submission of the report of the Secretary-General in accordance with Security Council resolution 1612 (2005), and the analysis and recommendations contained therein met with a generally favourable response.

4. Grave concern was expressed about the persistence of widespread violations and serious abuses, in particular killing, maiming and rape and other sexual violence, committed against children in the context of armed conflict in the Central African Republic.

5. Grave concern was also expressed regarding the continuation of the recruitment and use of children by all non-State parties to the conflict, the use of children by self-defence militias and the attacks against children by criminal groups known as "Zaraguinas".

6. The members of the Working Group welcomed the steps taken by the Government of the Central African Republic to foster public safety and put an end to the illegal recruitment and use of children, in particular the political dialogue held with rebel groups, the reform of security institutions and the establishment of the Disarmament, Demobilization and Reintegration Steering Committee.

7. The members of the Working Group encouraged the Government of the Central African Republic to strengthen further its policy on child protection by adopting a legal and institutional framework to protect the rights of children in situations of armed conflict, addressing impunity for perpetrators of all crimes committed against children, improving its national birth registration system and

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reinforcing the relevant capacities of the security forces, the army and the Presidential Guard.

8. The members of the Working Group noted that the absence of development, poor access to basic services, lack of economic and social opportunities, stigmatization of certain groups, whether ethnic, religious or social, and, in some cases, pressure from peers and local authorities were factors that increased the risk of children being recruited and used by armed groups, in particular self-defence militias.

9. The members of the Working Group also encouraged the Government of the Central African Republic to raise public awareness of the need to avoid the use of children in armed conflict and to protect them from violence, in accordance with applicable international law, including international humanitarian law and international human rights law.

10. The members of the Working Group welcomed the referral of the Central African Republic to the Peacebuilding Commission, the ongoing efforts of the Peacebuilding Commission regarding the Central African Republic and the allocation of resources by the Peacebuilding Fund to programmes for the separation of children from armed groups and their reintegration into communities.

11. The Working Group stressed the importance of support from the international community to the Government of the Central African Republic in its efforts to protect children affected by armed conflict.

12. The Permanent Representative of the Central African Republic:

(a) Underlined the commitment of the Government of the Central African Republic to fully cooperate with the Working Group and the Special Representative of the Secretary-General and to implement the recommendations of the Secretary-General and the conclusions of the Working Group;

(b) While recognizing the need for further efforts to reduce violations against children in the Central African Republic, underscored the lack of resources of his Government to combat such violations and, in that regard, reiterated the request of his Government for support from the international community and donors;

(c) Explained that motivations such as social recognition, lack of access to basic services and material benefits were some of the factors that led children to join self-defence militias and groups on a voluntary basis and, in that regard, underlined the need to address all aspects of the recruitment and use of children in his country;

(d) Expressed that the lack of birth registration processes in some rural areas of the Central African Republic was a critical concern, as it exacerbated the challenges related to the age of child soldiers;

(e) Requested the support of the international community in the implementation of the disarmament, demobilization and reintegration programmes and, subsequent to the meeting, took note of the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (Paris Principles).

13. Further to the meeting and subject to and consistent with applicable international law and relevant Security Council resolutions, including Security

Council resolution 1612 (2005),[1] the Working Group agreed to the following direct action.

Public statements issued by the Chairman of the Working Group

14. The Working Group agreed to address messages to all the parties to the armed conflict in the Central African Republic mentioned in the report of the Secretary-General, in particular the Armée populaire pour la restauration de la République et de la démocratie (APRD); the Union des forces démocratiques pour le rassemblement (UFDR); the Front démocratique du peuple centrafricain; the Mouvement des libérateurs centrafricains pour la justice; and the Forces pour l'unification de la République centrafricaine, through public statements by its Chairman on behalf of the Working Group:

(a) *Calling* their attention to the fact that the Security Council has received the report of the Secretary-General on children and armed conflict in the Central African Republic;

(b) *Expressing* its strong condemnation of the recruitment and use of children by all armed groups, including self-defence militias directly or indirectly supported by governmental authorities, in violation of applicable international law;

(c) *Expressing also* deep concern about the high number of violations and abuses committed against children by all parties to the conflict, including the killing and maiming of civilians, rape and other sexual violence, abduction and attacks against schools and hospitals in the northern part of the country;

(d) *Expressing further* also deep concern about the frequent displacement of populations taking place in the Central African Republic as a result of fighting and threats against the population by all parties to the conflict, which increases the vulnerability of children to becoming victims of violations and abuses such as recruitment and use, killing and maiming, rape and other sexual violence and abductions;

(e) *Condemning* attacks on United Nations and humanitarian personnel, including robbery, intimidation and other acts of violence that have led to the obstruction of humanitarian access;

(f) *Taking note* of the identification and anticipated release of children by APRD and UFDR, following concerted advocacy by the United Nations Children's Fund, the Office for the Coordination of Humanitarian Affairs and humanitarian organizations, and the visit in May 2008 of the Special Representative of the Secretary-General for Children and Armed Conflict to the region, and encouraging them to continue the process of identifying and releasing all children present in their ranks;

(g) *Urging* all parties:

(i) To comply fully with international humanitarian law by, inter alia, protecting the civilian population, especially children, and recognizing and maintaining the civilian status, neutrality and safety of schools, hospitals, religious institutions, refugee camps and settlements of internally displaced persons, including their personnel;

[1] A similar formulation will appear at the beginning of every letter issued by the Chairman.

(ii) To refrain from any new child recruitment and fulfil without any further delay their commitments for the protection of children, to end the recruitment and use of children and release all children still present within their ranks in a manner that allows effective confirmation by the United Nations country-level task force on monitoring and reporting, and to develop as soon as possible a time-bound action plan in line with Security Council resolutions 1539 (2004) and 1612 (2005);

(iii) To put an end to indiscriminate attacks on and the burning of villages, which have resulted in the killing and maiming of civilians, including children;

(iv) To take immediate and specific measures to put an end to and prevent the perpetration of rape and other sexual and gender-based violence and to take measures so that perpetrators are brought to justice;

(v) To release immediately all abducted children, ensure their return to their families and communities and take all necessary measures to put an end to and prevent abduction;

(vi) To allow, as a matter of priority, full, unimpeded and secure access for humanitarian assistance and relevant international and national child protection actors;

(h) *Emphasizing* that the full implementation of an action plan in line with Security Council resolutions 1539 (2004) and 1612 (2005), confirmed by the task force on monitoring and reporting, is an important step for a party to conflict to take in order to be de-listed from the annexes of the report of the Secretary General on children and armed conflict;

(i) *Emphasizing also* that the Working Group will closely monitor, through the reports of the Secretary-General on children and armed conflict, compliance with Security Council resolution 1612 (2005) by all parties in situations of armed conflict listed in the annexes to the reports of the Secretary-General on children and armed conflict until there is complete release of children associated with them and full implementation of action plans;

(j) *Urging* all parties to sustain the momentum created by the inclusive political dialogue and the spirit of compromise and cooperation, and demanding that all parties that have not done so cease violence immediately.

15. The Working Group also agreed to address messages to the head of the Lord's Resistance Army (LRA) delegation in Nairobi through the Office of the Special Envoy of the Secretary-General for the Lord's Resistance Army-affected areas, on public statements by its Chairman on behalf of the Working Group:

(a) *Recalling* its recent conclusions on children and armed conflict in Uganda (S/AC.51/2008/13) and all the requests to the LRA contained therein, as well as the provisions regarding children in the president statement of the Security Council contained in document S/PRST/2008/48;

(b) *Strongly condemning* the abduction and recruitment of children, sexual violence and the looting of villages by the LRA in the south-eastern region of Haut-Mbomou, in particular the attacks of February and March 2008 in the Obo area, and strongly urging the LRA to release all the abducted children immediately and unconditionally;

(c) *Recalling* the obligations of the LRA under the Agreement on Disarmament, Demobilization and Reintegration signed in February 2008 and noting specifically that the recruitment and use of children by armed groups is a violation of applicable international law;

(d) *Expressing* its dismay at and strongly condemning the continued recruitment and use of child soldiers and all other violations and abuses committed by the LRA, including the killing and maiming of children, rape and other sexual violence, abductions and forced displacement in recent months, in particular in the south-east of the Central African Republic, south Sudan and the Democratic Republic of the Congo.

Recommendation to the Security Council

16. The Working Group agreed to recommend the following to the Security Council:

Letter to the Government of the Central African Republic

(a) *Welcoming*:

(i) The recent progress related to the inclusive political dialogue and the Comprehensive Peace Agreement and encouraging the Government of the Central African Republic to ensure that issues concerning children are taken into full consideration throughout the implementation of the Agreement and in the post-conflict phases;

(ii) The invitation to the Special Representative of the Secretary-General to visit the Central African Republic from 26 to 31 May 2008;

(iii) The ongoing cooperation with the Working Group, the Peacebuilding Commission and relevant United Nations organizations;

(b) *Urging* the Government of the Central African Republic:

(i) To ensure greater protection of vulnerable populations, in particular children and internally displaced persons, by reinforcing the capacity of national security forces, especially in the north-west, north-east and south-east of the country;

(ii) To appoint a high-level contact point on child protection issues to follow up and coordinate actions on child protection, as well as liaise and fully cooperate with the task force on monitoring and reporting, in particular to ensure the development of effective prevention methods and response activities to the abuses and violations committed against children, in accordance with Security Council resolution 1612 (2005);

(iii) To establish also an inter-ministerial task force or other appropriate mechanism within the Government that will be responsible for coordinating actions related to child disarmament, demobilization and reintegration;

(iv) To consider, as a matter of priority, signature and ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, as well as the adoption of national legislation in accordance with its provisions, in particular criminalization of the recruitment and use of children by armed groups;

(v) To address impunity for perpetrators of violations and abuses committed against children; to strengthen its capacity and the commitment of law enforcement, judicial officials and prosecutors to rigorously investigate and prosecute crimes committed against children, including killing and maiming, rape and other sexual violence and abductions, which also necessitates the prosecution of members of the Armed Forces of the Central African Republic and the Presidential Guard, where evidence exists of crimes perpetrated by them; and to raise awareness about legal protections to which children are entitled, the rights of the child and humanitarian and other applicable international law throughout society, including within the security forces of the Central African Republic;

(vi) To continue and expand efforts to strengthen further the capacity of the military and police personnel to address child protection and gender concerns, including through child protection training;

(vii) To adopt the necessary measures to end and prevent the recruitment and use of children and abductions by local self-defence militias, including through:

a. The issuance of administrative and military orders and the adoption of disciplinary and other measures against administrative and military officials and local officials who are involved in the recruitment and use of children by local self-defence militias;

b. Addressing, with the support of the international community, the absence of development, poor access to basic services, lack of economic and social opportunities, stigmatization of certain groups, whether ethnic, religious or social, and, in some cases, pressure from peers and local authorities;

(viii) To launch a campaign, with the support of the international community, to raise public awareness that the recruitment and use of children by armed groups is unlawful while stressing the need to protect children from violence in accordance with applicable international law, including international humanitarian law.

Letter to the Secretary-General

(a) *Welcoming* his recommendation to his Special Representative for the Central African Republic and relevant United Nations entities to ensure that systematic dialogue is established between the task force on monitoring and reporting and relevant parties to the conflict for the preparation of action plans to address the recruitment and use of child soldiers, in the framework of Security Council resolution 1612 (2005);

(b) *Recalling* the Security Council presidential statement contained in document S/PRST/2009/5, in which the Council welcomes his recommendation to establish a United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA), and also recalling its request to ensure that child protection is properly addressed in the implementation of the Comprehensive Peace Agreement and the disarmament, demobilization and reintegration process;

(c) *Bearing in mind* the establishment of BINUCA, inviting him to designate as a matter of priority a child protection adviser and consider strengthening the child protection capacity of this new office;

(d) *Inviting* him to continue strengthening the task force on monitoring and reporting and to liaise, as appropriate, with national institutions, relevant non-governmental organizations and civil society networks, in order to ensure effective collaboration and coordination of child protection activities;

(e) *Also inviting* him to ensure, given the regional dimension of the crisis involving the Central African Republic, Chad and the Sudan and the grave implications for children, better information exchange and closer cooperation between respective United Nations country teams and peacekeeping missions on child protection issues, and taking note with appreciation of the framework of collaboration currently being piloted between the United Nations Children's Fund (UNICEF) Child Protection Sections in the Central African Republic and Chad;

(f) *Further inviting* him to promote dialogue among relevant stakeholder organizations aimed at enhancing child protection and prevention of child recruitment in the region, including cross-border issues;

(g) *Inviting* him, given the regional dimension of the crisis, in consultation with the Governments concerned, to highlight the need for enhanced capacity in child protection, including the capacity to protect children from killing, maiming, sexual violence, abduction and all other forms of violence, to be taken into account and effectively implemented by BINUCA, the United Nations Mission in the Central African Republic and Chad (MINURCAT), and the African Union-United Nations Hybrid Operation in Darfur, in accordance with their respective mandates;

(h) *Also inviting* him to request the United Nations Development Programme, UNICEF and other relevant United Nations organizations, within their respective mandates and approved resources and in close cooperation with the Government of the Central African Republic and the Peacebuilding Commission, to continue to address socio-economic issues as a matter of priority in order to contribute to addressing the welfare of children affected by armed conflict through, inter alia, providing assistance to improve the implementation of rehabilitation and reintegration programmes and to strengthen the education system, including in conflict-affected areas;

(i) *Further inviting* him to consider addressing the long-term effects of armed conflict on children by supporting the development of basic services including a health-care system to facilitate their full recovery, with adequate attention to psychological care for all children affected by armed conflict, in particular children with disabilities, and access to sexual and reproductive health services, in particular for victims of sexual violence;

To the Security Council

(a) *Recommending* that the situation of children affected by armed conflict continue to be taken into account during considerations of the situation in the Central African Republic and be reflected in the terms of reference for the next field visit by the members of the Security Council to that country, also taking into consideration the conclusions of the Working Group in this regard;

(b) *Recommending also* that the Security Council continue to take child protection issues fully into account in the mandates of MINURCAT and BINUCA.

Letter to the Peacebuilding Commission

(a) *Welcoming*:

(i) The inclusion of the Central African Republic on the agenda of the Peacebuilding Commission;

(ii) The adoption of the strategic framework for peacebuilding in the Central African Republic for the period 2009-2011;

(iii) The commitments adopted in the strategic framework regarding children and armed conflict, in particular, those in the disarmament, demobilization and reintegration and good governance sectors;

(iv) The allocation of resources from the Peacebuilding Fund to programmes that prevent the recruitment of children and assist in the demobilization and socio-economic reintegration of children;

(b) *Encourages* the Peacebuilding Commission, in conformity with its mandate, to continue considering the situation of children and armed conflict as a matter of priority in all the actions it takes to support national peacebuilding efforts in the Central African Republic.

Direct action by the Working Group

17. The Working Group agreed that letters would be addressed:

To the World Bank and donors

(a) *Requesting* donors to allocate funding to support reintegration activities for children (boys and girls) formerly associated with armed forces and groups, emphasizing educational and socio-economic reintegration activities, with a view to preventing the re-enrolment of children in armed forces and groups by providing them with a viable alternative;

(b) *Urging* donors to support the Government of the Central African Republic in implementing a comprehensive national strategy to prevent, respond to and combat sexual violence that includes such key areas as combating impunity, protection and prevention, security sector reform and multisectoral assistance for victims;

(c) *Also urging* donors to assist the Government of the Central African Republic in enhancing the capacity and technical expertise of judiciary officials, military and law enforcement personnel and other relevant authorities in the Central African Republic to deal with child protection concerns;

(d) *Further urging* donors to support the Government of the Central African Republic in its efforts to improve the national birth registration system;

(e) *Encouraging* donors to undertake a more long-term commitment of resources for United Nations operational entities, international and national non-governmental organizations and civil society for child protection activities, including for monitoring, reporting and response;

(f) *Recommending* that the situation of girls be given priority attention and resourcing with regard to reintegration strategies, in order to ensure that girls are given equal opportunity to engage in disarmament, demobilization and reintegration programmes.